

UNITED STATES COURT OF APPEALS
TENTH CIRCUIT

MAY 10 2005

PATRICK FISHER
Clerk

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONALD LaCRUCE MILLER,

Defendant,

MGB ASSOCIATES, an irrevocable
trust, MARSHA R. TURNER, for the
benefit of JAYDON TURNER and
SHADOE TURNER, GAYLON
MILLER and BRITTAIN MILLER,

Forfeiture Respondents - Appellants,

v.

UNITED STATES OF AMERICA,

Plaintiff - Appellee.

No. 03-7093
(E.D. Oklahoma)
(D.C. No. CR-02-23-S)

ORDER AND JUDGMENT*

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgment; nevertheless, an order and judgment may be cited under the terms and conditions of the 10th Cir. R. 36.3.

Before **EBEL, O'BRIEN**, Circuit Judges, and **STEWART**, District Judge.**

STEWART, District Judge.

Pursuant to Rule 42(b), Fed. R. App. P., and the stipulation submitted by the parties, this appeal has been settled and is hereby dismissed as moot. The case is remanded to the district court with instructions to dismiss the case. Each party shall bear its own costs and the mandate shall issue forthwith.

** The Honorable Ted Stewart, District Judge, District of Utah, sitting by designation.